

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

COGNIPOWER LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.;  
SAMSUNG ELECTRONICS AMERICA,  
INC.,

Defendants.

Case No. 2:23-cv-160 – JRG

**JURY TRIAL DEMANDED**

**DECLARATION OF ANDREW CHOUNG IN SUPPORT OF  
COGNIPOWER'S SURREPLY TO DEFENDANTS' MOTION TO STRIKE  
UNCHARTED PRODUCTS**

I, Andrew Choung, do hereby declare and state as follows:

I am an attorney with the law firm of Nixon Peabody LLP, counsel of record for Plaintiff CogniPower LLC (“CogniPower”) in the above-captioned action. Unless otherwise stated, I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently to such facts under oath.

1. On August 1, 2024, the Supreme Court of Korea provided a letter, Dkt. 172, in response to the letter rogatory issued by this Court, Dkt. 71. The letter from the Korean Supreme Court states in pertinent part on the first page:

사 유 : 2024. 3. 8.자 사실조회서를 2개월 이내에 회신을 하도록 명시하여 피신청인 어보브반도체 주식회사에 송달하였으나, 2024. 7. 5. 현재까지 회신이 오지 않아 증거조사가 불가능하게 되었습니다.

This states that the discovery request was sent to ABOV Semiconductor Co. Ltd. on March 8, 2024, but as of July 5, 2024, there has been no response, making further evidence investigation impossible.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated: August 12, 2024

By: /s/ Andrew Y. Choung

Andrew Choung